


COUNTY OF YORK

MEMORANDUM

DATE: September 20, 2001

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator 

SUBJECT: York Hall Use Policy

Recently, Mr. Bryce Hollingsworth, Chairman of the Yorktown Village Landowner Group, contacted staff to request the use of York Hall for the group's periodic meetings. Staff referred to the Board's adopted York Hall Use Policy (BP00-18) and informed Mr. Hollingsworth that it would be eligible to schedule either the Board Meeting Room or the East Room on a "one-time" basis and that the charges for such use would be as set out in the Policy (\$50, plus \$15/hour for every hour over two). I know that several Board members have been contacted by Yorktown residents expressing their concern and displeasure about this policy. In addition, Mr. Hollingsworth has asked, on behalf of the Yorktown Village Landowner Group, that an exception be made to accommodate their meetings.

I am attaching a copy of the adopted policy and have highlighted the sections referenced to Mr. Hollingsworth. The Yorktown group, which is the town's informal homeowners association, is among several homeowners groups that have requested permission to use York Hall for their scheduled meetings. All have been informed of the Board's adopted policy.

While staff can appreciate the difficulties in finding convenient meeting space, we believe that the Board's adopted policy is reasonable and that it appropriately provides for recovery of costs associated with County personnel and resources needed to open the building for evening meetings. An exception for the Yorktown Village Landowner Group would be tantamount to an exception for other homeowners associations and could put considerable strains on the building. Therefore, I recommend that the Board maintain the York Hall Use Policy as written.

Please let me know if you have questions or wish to discuss this further.

jmc

Attachment

BOARD POLICY	
SUBJECT	York Hall Use Policy
POLICY NUMBER	BP00-18
ORIGINAL EFFECTIVE DATE	November 21, 2000
REVISION DATE	
HISTORICAL REFERENCE	

Purpose: It is the intent of the Board of Supervisors to allow government-related users and citizen groups and organizations to use certain public meeting areas and public spaces in York Hall and on its grounds to the extent that such use is consistent with County uses of the building, with any permanent or semi-permanent space allocations the Board has made, and with requirements for operation, maintenance, and supervision of the facilities. The purpose of this policy is to establish the guidelines and procedures for such uses.

Procedure:

1. **Applicability:**

This Policy shall govern the use of the public meeting areas and public spaces of York Hall by County Boards, Commissions and Committees, by County government-related users, and by such other groups as defined herein.. The policy will also be used as guidance by the Board of Supervisors, or such agent as the Board may designate, in the review and approval of applications by groups and organizations for the assignment of available space on a one-time, periodic, or long-term basis. The areas available for use under this policy include the:

- Board Meeting Room
- East Room
- "Gallery" (first floor open area and kitchen)
- "Gift shop/Office"
- Basement
- Foyer

York Hall shall not be available to individuals for private functions or to business or commercial users (e.g., for wedding or retirement functions, conferences, etc.).

2. **Definitions:**

- a. "County" shall mean the government of York County, Virginia, its officers, elected officials, agents and employees, and committees, boards and commissions created by or appointed by the County Board of Supervisors to carry out a public purpose, when acting within their capacity as such and within the scope of their official duties while engaged in the County's business. The term shall include specifically:
 - i. Users which are a constituent part of the County, including County agencies or departments, or committees formed by the County, by any of its officers, agents, or employees for the purpose of carrying out the County's work.
 - ii. Users which are sponsored by the County, meaning those which are supported financially or otherwise by the County at the direction of the Board of Supervisors or the County Administrator and which are authorized to carry out a County policy or goal and which are invited by the

County to use any County facility or building for purposes related to the conduct of County government.

- iii. Users which are appointed by the County, meaning any Board, Commission, Authority, Agency, or other entity any of whose members are required by law, contract or agreement to be named, appointed, or confirmed by the County.
- iv. Users invited by the County to meet on County property for purposes associated with the governance of York County, Virginia.
- v. County Boards, Commissions, or Committees using the facilities for public hearings, meetings, and for the execution of government programs.

b. "County Government-Related" shall mean such users as the Board of Supervisors identifies in this policy, or through determinations of the County Administrator, to be integrally related to the governance of the County and the implementation of projects established or endorsed by the Board of Supervisors.

→ [c. "Group" shall mean any not-for-profit association, organization, civic club, corporation, or partnership that is not associated with or a part of the York County Government.

d. "User" shall mean any County, County Government-Related, or Group entity using, or making application to use, York Hall pursuant to this policy.

→ [e. "One-time" use shall mean a meeting or event that is scheduled/conducted for a single block of time on a single day.

f. "Periodic" use shall mean a meeting or event that is scheduled/conducted for a specific block of time on multiple days, whether those days are consecutive or not.

g. "Long-term" use shall mean the assignment or reservation of space for the use of a particular group or function for a period in excess of 30 consecutive days.

3. Priorities for Authorizations/Duration and Hours of Permissible Uses:

Requests may be made for One-time or Periodic use of the Board Meeting Room, the East Room, the Foyer, or the Gallery. Requests may be made for One-time, Periodic, or Long-term use of space in the Gift Shop/Office or the Basement. In addition, the Board of Supervisors may consider and approve requests for Long-Term use of the Gallery provided that the User would continue to accommodate the scheduling of appropriate One-Time or Periodic use of the space by the County and such other Users as are agreed upon by the Long-Term User and the Board. Long-term use authorizations may take the form of assignment of a specific room or rooms to a User for an extended period of time, whether definite or indefinite. Such authorizations and assignments shall be set out in specific agreements between the User and the Board.

a. Priority for Use Assignments: Priority for the use of any portion of York Hall will be as follows (listed in order of priority):

- 1. Board of Supervisors
- 2. School Board
- 3. Planning Commission

4. Board of Zoning Appeals
5. Industrial Development Authority
6. Wetlands Board
7. Other County Boards and Commissions
8. County Committees appointed by the Board of Supervisors
9. Constitutional Officers
10. Other functions scheduled by the Board of Supervisors and meetings, training sessions, seminars, etc., scheduled by the County Administrator or the County Administrator's staff.
11. Other functions scheduled by the School Board and meetings, training sessions, seminars, etc., scheduled by the School Superintendent or the Superintendent's staff.
12. Yorktown Trustees
13. Yorktown Foundation
14. Non-governmental Groups

→ 4. Eligibility Guidelines for Non-Governmental Users:

In determining the eligibility of Groups desiring to use the facilities in York Hall, and in evaluating the content of subject matter to be discussed or displayed in conjunction with such use, the Board, or its designated agent (if any), shall be guided by the following:

- a. Groups must be based in York County (i.e., chartered/registered with a York County mailing address for the group and/or its principal officer) or they must be a group that is supported by the York County Arts Commission.
- b. The Group shall not be engaged in advocating social or political change by violence or by other illegal means. This restriction does not prohibit the discussion of controversial subjects in public forum.
- c. In the case of Groups wishing to use York Hall for an event that will be open to the general public (i.e., attendees other than members of the group, their specially invited guests, or prospective members), the purpose and/or content of the event shall be of a cultural, historical, or educational nature. Examples would include: recitals, art shows/exhibits, lectures, children and youth programming, historical re-enactments, historic/interpretive exhibits/demonstrations, etc.
- d. Eligibility for Periodic and Long-term use shall be confined to those Groups that are supported financially by the York County Arts Commission or through other grants or funding by the County.

It is expressly understood that permission to use York Hall does not in any way constitute an endorsement by the County or its officials of any organization or group; the beliefs of any organization or group; the expression of any opinion regarding the nomination, retention, election, or defeat of any candidate; or the expression of any opinion regarding the passage or defeat of any issue or referendum.

5. Duration and Hours of Permissible Uses:

- a. No use of York Hall will be permitted which inhibits the regular, uninterrupted use of the facility by the County Government or a Government-Related User by reason of conflicting need for the building or facility, generated noise, or any other reason.

- b. Revocation of Use: Permission granted for use of York Hall by any Group covered by this policy may be revoked by the County Administrator at any time prior to 24 hours before the scheduled start of the requested use if the facility is needed for County or County Government-Related use. In the event emergency situations arise (e.g., hurricanes, etc.), authorization may be canceled/revoked by the County Administrator with less than 24-hours notice.

→ d. Hours of Availability: *Regular/Normal* hours of availability shall be 8:00 am to 5:00 p.m., Monday through Friday. *Extended/Premium* hours of availability shall be 5:00 p.m. to 11:00 p.m., Monday through Friday, 8:00 am to 11:00 p.m. on Saturday, and 12:00 noon to 7:00 p.m. on Sunday. All Users of the building, whether they are classified as One-time, Periodic, or Long-term, shall be subject to these hours of availability/operation unless special arrangements have been made with the County Administrator's Office for extended hours.

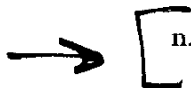
- e. Holidays: The County Administrator may authorize the use of the facility on holidays subject to the availability of necessary support/supervisory and security personnel.

6. Policies Governing Use and Conduct

The following rules of use and conduct shall be observed by all Users of York Hall. The User is responsible for ensuring that these guidelines are observed at all times by participants or guests.

- a. Riotous, boisterous, threatening, or indecent conduct, or the use of abusive, threatening, profane, or indecent language shall not be permitted.
- b. York Hall shall not be used for any purpose described and identified as an obscene exhibition or performance by Chapter 15.5 of the York County Code. Displays of art shall not include material which is obscene as defined by Section 15.5-2 of the York County Code. Users of the facility are responsible for ensuring that the content or subject matter of meetings, performances, displays, and exhibits are consistent with the terms of this Chapter.
- c. No drugs or controlled substances shall be brought onto or used on the York Hall property except in accordance with a medical prescription or otherwise as allowed by law. Persons under the influence of illegal drugs shall not be allowed on the premises.
- d. Smoking is prohibited in York Hall.
- e. Weapons, reproductions of weapons, and any item capable of being conceived as a weapon (except those carried by law enforcement official on duty and previously coordinated props [e.g., re-enactment weapons] for approved theater/performing groups) are forbidden from being brought into the facility.
- f. Betting or gambling in any form is prohibited.
- g. No pets or animals (with the exception of service dogs) are allowed in the building.
- h. Uses that are extensions of a business operation (e.g., sales meetings, business seminars, etc.) shall be prohibited.

- i. Collection of donations or admissions shall be permitted for those activities that involve displays, exhibits, or performances, provided that the intention to do so is indicated on the York Hall Use Agreement and that such User is supported by the York County Arts Commission or by other grants or funding from York County. Sales of exhibited items, such as artwork, by the User shall be permitted provided the User is Government or Government-Related or is supported by the York County Arts Commission or by other grants or funding from York County.
- j. No use shall involve any type of for-profit commercial activity. However, nothing herein shall prevent the County from entering into an agreement with a Group or other entity to operate a gift shop in York Hall on such terms as the County deems appropriate.
- k. No signs, emblems, symbols, or similar items may be erected on the York Hall grounds or affixed to the interior or exterior building by any One-time User without specific authorization from the County Administrator or his designee. Periodic and Long-term Users may request special permission from the County Administrator to erect/install appropriate signage associated with their particular use. The County Administrator shall ensure that such signage is consistent with the character of the facility and the nature of use.
- l. All publicity (e.g., posters, brochures, throw-aways, radio or television announcements, etc.) must carry the name of the organization sponsoring the meeting. The County may not be identified as a sponsor or co-sponsor without the prior written approval of the County Administrator.
- m. Permission to use York Hall is limited to the room or rooms, or space described in the York Hall Use Agreement, which all Users shall be required to execute. No permission is granted to any group or individual to enter any other room, except rest rooms, stairwells, and entry ways which must be traversed to gain access to the authorized meeting room. No activity shall infringe on the ability of staff or other organizations to access the facility. All Users of the facilities must limit participation to the posted maximum "allowable" persons in the room per fire regulations.



- n. Authorizations for Groups to use York Hall shall not be approved for, nor be construed to accommodate, a regular meeting schedule for such Group.

7. Food and Beverage Policies:

- a. Upon the specific approval by the County Administrator, the serving of alcoholic beverages may be allowed in conjunction with receptions and similar events sponsored by an authorized User.
- b. In order for a User to serve alcoholic beverages, a beverage license from the Virginia ABC Commission is required. Use of a caterer with an ABC license is recommended. The ABC license must be posted in York Hall before the start of the event.
- c. The sponsoring User accepts full responsibility for maintaining control of consumption and enforcing moderation. Any behavior which indicates intoxication of any participant shall be cause for consumption to immediately cease, and shall also be cause for future denial of permission for the sponsoring User to serve alcoholic beverages at its functions in York Hall.

- d. No alcohol may be consumed in any other area except the designated area of the event. No alcohol may be carried outside the building.
- e. Use of a caterer is recommended for food and alcoholic beverage service. Caterers must be appropriately licensed to do business in York County, unless excepted from licensing requirements, and must have all applicable Health Department and ABC Commission permits. If use of the kitchen facilities is desired, the request for this space must be submitted along with the original room request. The County will not provide serving utensils, paper goods, silverware, beverage containers or servers. Failure to leave the kitchen area in a clean and sanitary condition following use can result in denial of facility use in the future.

9. Set Up:

- a. The authorized User is responsible for supplying information on the York Hall Use Agreement form concerning the desired set up of the meeting place including the number and placement of chairs and tables. Unless otherwise arranged between the User and the County, all set-up and take-down will be the responsibility of the County. In no case shall the User be allowed to arrange or re-arrange the furniture in the Board Meeting Room or the East Room. The User is responsible for supplying such items as easels, bulletin boards, and other equipment needed for their meeting. Equipment such as screens, bulletin boards, and white-boards owned by the County and located in the approved meeting room may be used by the group.
- b. Use of any electrical and audio/visual equipment by the user shall be subject to County approval.
- c. Periodic and Long-Term Users shall be responsible for coordinating all set-up and logistical arrangements with the County. This shall include, for example: the arrangement of display and exhibit cases, stands, props, etc.; the arrangement and placement of any furnishings/furniture, the storage of materials, props, etc.; and other related issues.

10. Special Provisions for the Board Meeting Room and the East Room:

Because of the nature of the audio-visual equipment located in and adjacent to the Board Meeting Room and the East Room, and the need to maintain the appearance of the meeting rooms for televised public meetings of the Board of Supervisors and other deliberative public boards, permission to use the Board Meeting Room or the East Room shall not include permission to use any of the audio-visual equipment located in or serving such rooms unless specifically authorized by the County Video Services Manager. Permission to use any such audio-visual equipment may, in the discretion of the Video Services Manager, be conditioned upon a demonstration by the User, to the Manager's satisfaction, that the User is knowledgeable in the use of the equipment or, alternatively, upon the ability of the Video Services Division to provide staff support for the scheduled use. These provisions shall apply to all Users, whether County, County Government-Related, or Groups.

11. Clean Up:


- a. Groups shall be responsible for all clean up following the conclusion of the use of the facility. All trash must be removed from the premises at the Group's expense, except that up to four bags of non-toxic trash may be placed in a receptacle to be designated by the County. All material placed by any User on any bulletin board shall be removed, and any writing placed on any white-board or similar equipment shall be erased. Custo-

dial service, using County custodial staff, may be required for Group Users at the discretion of the County based on the number of persons attending the meeting and the length and purpose of the meeting. Costs for this service will be borne by the Group.

- b. The cost of any clean up by County staff required as a result of the Group's failure to do so shall be charged to the Group at the pay rate (regular or overtime) of County staff used.

12. Fees:

Fees will be assessed for use of the facilities by Groups in an amount necessary to cover the costs associated with supervising, cleaning, and securing the facility. County Government and County Government-Related users shall be exempt from the following fee schedule. Fees shall be as follows:



Fee Structure for One-Time Use by Groups	Amount
Use during Regular/Normal Hours— (includes standard set-up, staffing, clean-up)	\$30 base fee, plus \$10/hour for every hour beyond two (2)
Use during Extended/Premium Hours— (includes standard set-up, staffing, clean-up)	\$50 base fee, plus \$15/hour for every hour beyond two (2)
Extraordinary Set-up (e.g., items not normally housed in York Hall)	\$40, plus any rental charges, if applicable
Extraordinary Clean-up	\$50
Kitchen Use	\$25
Reservation Deposit	\$25

Fees for Groups scheduling York Hall on a Periodic basis shall be calculated based on the actual time expended by County staff in providing set-up, supervision, and clean-up services. Fees, if any, for Groups authorized for Long-Term use shall be established and approved by the Board of Supervisors on a case-by-case basis.

13. Cancellation: Any permission granted under this policy to use York Hall shall be deemed automatically withdrawn in the event the County government is closed because of inclement weather or other emergency during the scheduled time of the meeting. Cancellation information will be provided telephonically to the point of contact.

14. Security:

Authorized Group Users shall provide at their own expense any security which is desired or which the County requires in addition to the normal security provided by the County for its own purposes.

15. Liability:

- a. Any Group using York Hall pursuant to this Policy shall be required to execute a release of liability in a form approved by the County Attorney, releasing the County, its offi-

cers, and employees from any liability for negligence for any damages caused to the Group, or its property, during the time of the use.

- b. Moreover, any Group using York Hall shall be required to execute an agreement in a form accepted and approved by the County Attorney to guarantee and hold harmless the County and its officers and employees from any liability to third parties for injury caused by the Group, or any persons invited to attend the meeting or session in York Hall or on its grounds.
- c. The Group shall be liable to the County or to any third party for any and all damage to County property or injuries to County employees, officers, or agents caused by the Group, or by any of the Group's officers, agents, or employees, or by any person attending or seeking to attend the Group's meeting, whether or not such damage is the result of negligence, intentional acts, or accident.

16. Applications to Use York Hall:

- a. All applications to use York Hall under this Policy shall be made to the office of the County Administrator, 224 Ballard Street, P.O. Box 532, Yorktown, VA 23690. Applications shall be made on the York Hall Use Agreement form available from the County Administrator's office or on the County's Web site. The application shall include, but not be limited to, the following information: the name and address of the applicant, and of its officers; the date and time requested for the use; the expected length of the use; the nature and purpose of the use; and the number of people expected to attend the proposed activity.
- b. Applications for use of York Hall may be submitted as far as 90 days in advance of the proposed date of use, provided, however, that in the case of performances and other types of special events sponsored by Groups supported by the York County Arts Commission or through other grants or funding from the County, reservation requests may be submitted as far as 12 months in advance. Requests by County Government and County Government-Related Users may be made up to 12 months in advance and in a single application for reservation approval for "regular" meetings.
- c. Requests for reservations concerning "regular" meetings and other functions for County Government and County Government-Related shall be evaluated in accordance with the priority system established in Section 3 of this Policy.
- d. Requests by Groups for use of York Hall must be submitted and shall be reviewed on a monthly cycle so that a building use calendar can be produced and posted one month in advance (i.e.- the calendar for July will be prepared by the end of May). In setting priorities for scheduling/reservations, the County Administrator or his designee shall observe the priority system established in Section 3 of this Policy and beyond those priorities shall give preference to requests from Groups supported by the Arts Commission or through other grants or funding from the County and to other requests of a cultural arts nature.
- e. Requests for using York Hall shall be reviewed by such offices and officials as the County Administrator may designate. Said offices/officials shall then forward a recommendation as to approval/disapproval to the County Administrator along with any comments concerning the need for extraordinary supervision, set-up, or clean-up anticipated with the proposed use. Approval shall be granted by the County Administrator or his designated representative.

17. Equal Access: This policy shall apply to all prospective Users applying to use York Hall. No group or individual shall be excluded from equal access to York Hall because of considerations of race, sex, religious or political persuasion, or because of the political, religious, or social aims expressed by the individual or group, or by any group's members.
18. Denial of Access: The use of York Hall may be denied to any individual or group which has, at any time prior to any requested use, been responsible for, or caused, any damage to County property through or because of acts of vandalism, violence, or rowdiness, or which has failed to clean up facilities, whether such damage was caused by any members of such group, or by any invitees to any approved meeting. Subsequent approval for use of the facility may, in the County's discretion, be conditioned upon a higher insurance level than is set forth above, or additional security and custodial charges. However, no individual or group shall be denied access under this section to the use of County buildings or facilities because of damages not caused directly by the group or individual group members, or invited guests.
19. Designation of Board's Agent: The County Administrator is hereby designated as the Board's agent to carry out the requirements of this policy.